

ASSEMBLY BILL

No. 761

Introduced by Assembly Member Jones

February 18, 2005

An act to add Section 1276.15 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 761, as introduced, Jones. Health facilities: staffing.

Existing law provides for the licensing and regulation of health facilities by the State Department of Health Services. Existing law authorizes the department, in setting personnel standards for licensed health facilities, to set the standards itself or adopt standards by reference to named standard-setting organizations.

This bill would require the department, in determining whether staffing, with the exception of licensed nurses, is adequate in general acute care hospitals, intermediate care facilities, and special hospitals, to consider any guidelines developed by relevant professional associations, if available. The bill would also require the department to consider worker injury rates and patient injury rates.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1276.15 is added to the Health and
- 2 Safety Code, to read:
- 3 1276.15. (a) In determining whether or not staffing is
- 4 adequate in facilities licensed pursuant to subdivision (a), (d), or
- 5 (f) of Section 1250, the department shall consider any guidelines

1 developed by the relevant professional associations, if any,
2 regarding staffing. The department shall also consider worker
3 injury rates and patient injury rates, taking into account whether
4 an individual facility has injury rates comparable to those of
5 other similarly licensed facilities and to other health care settings.
6 (b) Subdivision (a) shall not apply to staffing of licensed
7 nurses, which shall be subject to Section 1276 and other
8 applicable laws and regulations.